



**State of New Hampshire**  
**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

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Pinkerton Academy Teachers Association,  
Steven Roderick, John Pelkey, and  
NEA – New Hampshire

Petitioners/Complainants

v.

Pinkerton Academy

Respondent

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Case No(s): E-0008-1  
E-0008-2

Decision No. 2005-117

**ORDER DENYING STAY OF PROCEEDINGS**

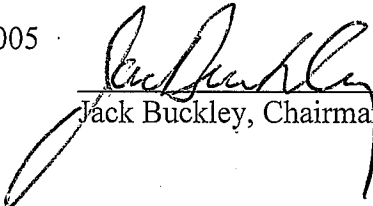
The Board has discussed the pending request of the Respondent, Pinkerton Academy, reviewed the status of these matters on its docket and undertaken the following actions regarding these consolidated matters:

1. It reviewed the Pinkerton Academy Motion to Stay Adjudicative Hearing filed on August 11, 2005 and the Association's Objection thereto filed on August 26, 2005.
2. It reviewed its previous interim decision (Decision No. 2005-062).
3. It noted that the continuation of the hearing on the merits of the Association's complaint is to be conducted on October 20, 2005.
4. The Board also noted, that on or about August 26, 2005, Pinkerton Academy petitioned the Supreme Court for an appeal of the Board's earlier interim decision.

5. It recognized its primary jurisdiction and responsibility to hear such matters pursuant to RSA 273-A and render decisions necessary thereto as well as the role of the Supreme Court as the final arbiter and the court's authority to stay proceedings if it believes justice compels such action.
6. It does not find that Pinkerton Academy has stated sufficient grounds upon which the Board can conclude that its earlier interim decision in this matter should be stayed or that justice compels suspension of these proceedings.
7. It therefore does not find that Decision No. 2005-062 should be suspended and leaves the Respondent to exercise such other rights as may be available to it.
8. It DENIED the Motion to Stay. The hearing on these matters is to be reconvened, as previously scheduled, on October 20, 2005 at 9:30 AM at the offices of the PELRB, unless otherwise ordered.

So Ordered.

Signed this 8th day of September, 2005



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Jack Buckley, Chairman

By unanimous vote. Chairman Jack Buckley presiding, with Board Members Seymour Osman and Richard E. Molan also voting.

Distribution:

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